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A PLEA FOR LIVY;

WITH

(37)

THE
UNIVERSITY OF
CAMBRIDGE

CRITICAL NOTES ON HIS FIRST BOOK.

For the Use of Students.

BY
Henry
THOMAS H. DYER, LL.D.,

AUTHOR OF "THE KINGS OF ROME;" "THE CITY OF ROME;" "ANCIENT ATHENS: ITS HISTORY,
TOPOGRAPHY, AND REMAINS," &c.

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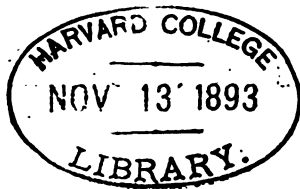
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A PLEA FOR LIVY.

BEING old-fashioned enough still to respect Livy, I have employed the following pages in vindicating him from some aspersions which Professor Seeley has cast upon him in his recent edition of the first book. I have confined myself to those notes which either contain some charge against Livy, or in which the Professor does not appear to me rightly to apprehend the meaning of the author, and might thus mislead students, to whom, I hope, some of the more general remarks in this pamphlet may prove of use. As I have examined the Professor's notes on the Preface in my 'Roma Regalis,' p. 63 sqq., I proceed at once to the first chapter.

Ch. i. p. 107, l. 1 (Seeley). Nor does Livy doubt the early history, but only the miraculous part of it.

Livy himself says, as plainly as he can speak, that the whole history before the building of the city was a parcel of fables: "*Quæ ante conditam condendamve urbem poeticis magis decora fabulis,*" &c., Præf. s. 6. The Professor seems to have been led to his opinion from misunderstanding the expression *satis constat* (c. 1); which he considers the strongest possible phrase of belief, but which, as I have shown in 'Roma Regalis,' expresses only very moderate belief, and was no doubt used by Livy because he would not give a flat contradiction to the popular story. The Professor's remark is correct only of Livy's view of the history after the city was founded.

Ch. ii. p. 109, 5. *ducem Latinum amisere*. Livy does not say how. The tradition said that he was translated

(Festus, v. Oscillantes, p. 194), which is a mere repetition of what is related below of Æneas. In order not to tell the same story of two different persons in the same chapter, Livy here slurs it.

Did Livy write his work in chapters? The charge of 'slurring' the story, which is not very intelligible English, rests on the idea that Livy was anxious about the probability of the præ-Roman history, which, as we have seen, was not the case.

Ch. iii. p. 110, 16. *ne morte quidem Æneæ*. Above, Livy did not venture to say that Æneas died. Here he assumes it. *Morte* is an ablative of date.

This charge is founded on the same misconception as the preceding. *Morte* is not an abl. of date, but of cause, just as it is in the passage quoted as parallel: *morte Africani crevere amicorum animi*.—Liv. xxxviii. 54, 1. And so below: *Tullus ferox præcipue morte regia*.—c. xv.

Ibid. p. 111, 6. *sepultus*. In other words, 'worshipped,' as above, 2, 6.

I do not remember to have seen either this word, or *situs* (c. 2), used in this sense. Livy shows a nice discrimination by preferring, when speaking of the tomb of a demigod, the vaguer term *situs* to the unmistakable *sepultus*, which at once excludes all idea of worship. But, even in the case of Æneas, the idea of worship lies not in the term *situs*, but in the context. That Aventinus was worshipped, is to me a new fact.

Ibid. p. 111, 13. *Cum vestalem eam legisset*. The appointment of vestals, and also the jurisdiction over them, belonged to the pontifex maximus. It is here attributed to the king.

The Professor seems to insinuate that Livy blunders. But, in fact, before the time of Numa, the king was sole pontifex. The jurisdiction over the vestals did not belong to the pontifex maximus but to the college of pontifices. See Dion. Hal. ii. 68; De Har. Resp. vii. 13; Asconius in Milon. § 32.

Ch. iv. p. 111, 21. *Jubet, i.e. Amulius.* For a similar carelessness in omitting the subject, see xli. 3, xlii. 10. Why do we hear nothing more of Rea Silvia? Because the sequel of her story was miraculous, representing her as made a goddess, and wife of the river god.

The charge about Rea Silvia belongs to the same category as those about Latinus and Æneas. Instead of charging Livy with carelessness, why not say that the nominative is to be sought from a preceding word? here *rea*, from the preceding *regia* = *regis*. So below, c. 25, the nominative to *excucurrunt* is to be sought in *Veientium animi* preceding = *Veientes*. Where the modern editors have wrongly placed a full stop after *stimulabat*, thus leaving the sense suspended after *quod*.

Ch. vii. p. 115, 16. *Aversos boves.* "Madvig believes that Livy wrote '*aversas . . . eximiam quamque*,' but does not alter the text."

Many emendations, without MS. authority, but they are "clumsy" ones. The tradition is thus given by Virgil:

"Quatuor a stabulis præstanti corpore tauros
Avertit, totidem forma superante juvencae."—Æn. viii. 207 sq.

Livy therefore followed the ordinary laws of grammar in giving the preference to the masculine gender. But, it will be said, he goes on to use the feminine gender: "*inde cum actæ boves*," &c. But here too he was right, for it was a cow that bellowed: "*Reddidit una boum vocem*" (Virg. ib. 217). We see how some modern editors would spoil a story by *improving* it. The legend was, no doubt, known to every Roman child; and when Livy wrote "*in speluncam*" none would have exclaimed, "What cave?" like the Professor.

Ibid. p. 115, 18. *ad primam auroram.* A highly poetical phrase. Perhaps he means 'waked by the first breeze of morning,' the resemblance between *auram* and *auroram* influencing his imagination. Cp.

the opening of 'Paradise Lost,' b. 5, and Tasso, 'Ger. Lib.' iii. 1.

This pretty conceit was no doubt suggested by Tasso's lines :

"Già l'aura messaggiera erasi desta
Ad annunziar che se ne vien l'aurora."

The Professor seems soon seduced by a similarity of sweet sounds, as when he connected *Clullia* and *cloaca*, *Æquiculi* and *Æquicola*, *Lucius* and *Lucuma*, &c.

Ch. viii. p. 118, 5. *descendentibus inter duos lucos est*. This is an instance of Livy's way of slurring difficulties. He says that 'on descending' you find the enclosed space called *inter duos lucos*. On descending what? As we have been told that Romulus' city was on the Palatine, we naturally assume that this hill is meant. Livy, however, does not say so; and as a matter of fact, it was on the Capitoline. Not knowing how to explain this, he suppresses it.

Not knowing how to explain this passage, the Professor mutilates it, and then accuses Livy, whom he seems to regard as a perfect idiot, of slurring (?) difficulties which he himself creates. After giving a wrong version, he asks: "On descending what?" Now that is a very pertinent question, for according to his view there was nothing to descend. Had he known that *Inter duos lucos* was the name of a place, and not of the enclosed space within it, his little difficulty would have vanished. Mr. Burn, indeed, denies this: "*Inter duos lucos* does not appear to have been a name, but merely a descriptive expression."—Rome and the Campagna, p. 184, note 5. But in this denial he stands, I believe, alone. That there was a place called *Inter duos lucos* we have the distinct testimony of Dionysius: τὸ μεταξύ χωρίον τοῦ τε Καπιτωλίου καὶ τῆς ἄκρας δ καλεῖται νῦν κατὰ τὴν Ῥωμαίων διάλεκτον μεθόριον δυοῖν δρυμῶν, καὶ ἦν τότε τοῦ συμβεβηκότος ἐπώνυμον, κ.τ.λ.—ii. 1. Where μεθόριον δυοῖν δρυμῶν is equivalent to Livy's *Inter duos lucos*; and Portus in his Latin version correctly adopts Livy's

words. Names so formed were not uncommon. Thus we have Interamna, from its situation between two rivers (Varr. L. L. v. 28), and at Rome itself the Insula Tiberina, from its lying between two bridges was called Inter duos pontes (Plut. Popl. 8; Macrobian. Sat. ii. 12). All this had been explained centuries ago by J. F. Gronovius (*ad loc.*), and even Becker had so accepted it:—"Die Vertiefung zwischen Beiden wird als das alte Asylum bezeichnet und führt den Namen Inter duos lucos."—Handb. Röm. Alt. Th. i. S. 387. Becker here calls the whole of Inter duos lucos, which, as he observes, obtained in the Middle Ages the barbarous name of *Intermontium*, the *Asylum*; and in this he is borne out by Dionysius. Livy, on the other hand, appears to confine the name of Asylum to the spot where the temple actually stood, and this, no doubt, in his time was the only part railed off, though originally its precincts may have included the graves. Gronovius explains the construction by referring, among other passages, to Livy, xlii. 15:—"Descendentibus (adscendentibus) ad templum a Cirrha maceria erat ab læva semitæ;" and observes that the meaning is, that those who were descending Inter duos lucos (which lay partly on the slope of the hill) were stopped by the enclosure, and obliged to go round.

Thus another of the Professor's difficulties disappears, as to whether Livy was talking of the Capitoline or the Palatine. Livy was writing for his own countrymen, and not for modern professors, and when he had mentioned Inter duos lucos and the Asylum, a Roman would have known that he was speaking of the Capitoline just as well as if he had named it.

Ibid. l. 10. *Consualia vocat. . . . Consualia* are games in honour of Consus. But this deity was so much forgotten that Livy does not even see the inconsistency of saying that games in honour of Neptune were called *Consualia*. It is impossible to discover the east connection between Consus and Neptunus.

A modest critic might have taken Livy's word. There is no inconsistency, nor does it follow that there was no connection between Consus and Neptunus because the Professor cannot discover it. If we should reject all that he cannot discover

there might be sad havoc. But an author, whom the Professor regards with veneration, could discover it. Servius says that Consus was called the Equestrian Neptune: "*iste Consus et Equestris Neptunus dicitur.*"—ad *Æn.* viii. 636. The altar being in the Circus is a corroboration. Nor do I see anything surprising in the Romans having that Greek god. I believe that the founders of Rome were Greeks.

Ch. xiii. p. 124, 24. *silentium et repentina fit quies.* *Silentium* is commonly 'the silence of attention.' There is, perhaps, therefore, a slight difference here between *silentium* and *quies*.

I should think so. 'Quies' means 'rest from strife.' Render: 'There is silence and a sudden end of strife, and then the commanders advance to make a treaty.' Observe the condensed vigour of Livy's style, and then compare the Professor's feeble and erroneous version: 'They paused to listen, and when the women had done, the pause continued.'

Ibid. l. 29. *Curtium lacum.* Livy gives the other more famous story in vii. 6, and declines to decide between them. But we see how fictitious history grows. Though the historian may select one of the stories as the true explanation, he relates both as historical facts, and thus the single Lacus Curtius furnishes two distinct incidents to Roman history. Observe that the *monumentum* is not the lake, but the name that was given to it.

Livy relates neither of them as an historical fact; he does not "decline to decide between them," but calls them both fables: "*Et lacus nomen ab hac recentiore insignitius fabula est*" (vii. 6). The last version was, no doubt, one of those pieces of priestcraft which sometimes disfigure even the later Roman history. The Professor might have added a third legend if he had consulted Varro (*L. L.* v. 148 sq.). But what does he mean by "Observe that the *monumentum* is not the lake"? Nobody, I suppose, would be so silly as to take the whole lake—a shifting swamp—

or the monument, if I rightly apprehend his words; but he is quite wrong in asserting that the name given to it was 'the monument;' for the enclosed space, called *Lacus Curtius*, which became at last a mere dry puteal, was the monument.

Ch. xiv. p. 125, 11. *legatos Laurentium*. *Laurentes* is the name given to the inhabitants of a district, not of a town; the town is *Lavinium*.

The proper town of the *Laurentes* was *Laurentum*.

Ch. xv. p. 128, 5. *agri parte multatis*. *Dionysius* (ii. 54) and *Plutarch* (*Rom.* 25, 8) say this land was the *septem pagi* on the right bank of the *Tiber*, and the *salinæ* near the mouth. In short, this war is introduced to account for the fact that the Romans had, at a very early time, possessions beyond the *Tiber*. But another legend gives this conquest to *Ancus*. *Livy* adopts this (33, 8), and is therefore obliged to avoid specifying the lands here ceded to *Romulus*.

This sneer is adopted from *Schwegler*. See my 'Kings of Rome,' p. 113. On re-examining the authorities, I do not find that discrepancy among them which the Professor alleges. *Dionysius* does not say that the land ceded was the *Septem Pagi* and the *Salinæ*. What he says is, that the *Veientes* were to make over (*παραδοῦναι*) the *S. Pagi*, and to keep aloof from or evacuate (*ἀποστήναι*) the *Salinæ*. Now those are two very different things; otherwise the two places might have been connected with the conjunctive particle, and made dependent on the same verb. Here is the sentence: *χώραν τε παραδοῦναι Ῥωμαίοις τὴν προσεχὴ τῷ Τιβέρει, τοὺς καλουμένους Ἑπτὰ πάγους, καὶ τῶν ἀλίων ἀποστήναι τῶν παρὰ ταῖς ἐκβολαῖς τοῦ ποταμοῦ.*—ii. 55. The testimony of *Plutarch* is to the same purpose, who of the tract uses *προέμενοι*, of the *Salinæ*, *ἐκστάντες* *χώραν τε πολλῶν προέμενοι τῆς ἐαυτῶν, ἣν Σεπτεμπάγιον καλοῦσιν, . . . καὶ τῶν παρὰ τὸν ποταμὸν ἐκστάντες ἀλοπηγίων.*—*Rom.* 25, where the words *τῆς ἐαυτῶν* further show that only the *Septem Pagi* really belonged to the *Veientes*. The *Salinæ*

seem to have been in a sort of 'no man's land,' which they were perhaps endeavouring to appropriate. There is therefore no real discrepancy here between Livy and the two Greek writers; only the latter detail more fully the terms of the treaty, while Livy contents himself with indicating the territory actually acquired by Rome. Here, as throughout the early history, he writes with such a studied brevity, that he would be understood only by those who had already some acquaintance with Roman history. Michelet in some of his historical sketches condenses, like Livy, a wonderful deal in a few words; but a reader unacquainted with the history of France would not understand him.

And so the Professor's objection falls harmless. The next two sneers in the following note are founded only on the Professor's own conjectures and suspicions, and require no notice.

Ibid. p. 128, 14. *Celeres*. In representing these as a bodyguard, the historians seem to wish to assimilate Romulus to a Greek *τύραννος* surrounded by *δορυφόροι*.

I have endeavoured to show in my 'Kings of Rome,' p. 57 sqq. that in all probability Romulus was a Greek *τύραννος*. *Celeres* is a name of Greek derivation for *equites* (ibid. p. 112) from *κέλης*, *Æol.* *κέληρ*.

Ch. xvi. p. 128, 19. *regem operuit nimbo*.

The Professor says that this eclipse was "perhaps registered by the pontiffs." There were no pontiffs till the following reign. The eclipse is not mentioned by Livy, but by Cicero, 'De Rep.' i. 16, where we are plainly told that the first eclipse registered at Rome happened 350 years after its foundation, and that the previous ones were ascertained by calculation. So that the Professor could not have read this authority very carefully.

Ibid. p. 129, 22. *posse*. Plutarch adds, *ἐγὼ δ' ὑμῶν εὐμενῆς ἔσομαι δαίμων Κυρίως*. So, too, Dionysius. Livy omits this, though it is the point of the story, and though he has himself significantly used the word *Quirites* just above. Cp. Hist. Ex. p. 38. He has

already (13, 5) adopted the theory that the name *Quirites* was derived from Cures.

According to the Professor, therefore, the point of the story was that the names *Quirinus*, *Quirites* were really derived from this celestial apparition! Livy, however the Professor may abuse him, had at least sense enough to see that this could not be so. I have touched on this subject in 'Roma Regalis' (p. 17), and shown that there was a god called Quirinus before the death of Romulus.

Ch. xvii. p. 130, 3. *ab Sabinis*. Remark that Livy speaks here of Sabine senators. He has not before told us that the Sabines had been admitted into the senate . . . Why, then, does Livy omit to mention the addition of the hundred Sabines? In order to conceal the inconsistency of that view with the account here given of the 'interregnum,' in which the senate is represented as consisting at the death of Romulus of only a hundred members.

Had Livy entertained the deep design imputed to him by the Professor, he must have been a clumsy bungler to mention the Sabines. His doing so shows that he had no such design. But Livy's inconsistency exists only in the misapprehension of his critic. The interregnum was conducted by the Roman portion of the Senate alone. Cicero says expressly that it was the senate "of Romulus," not of Romulus and Tatius, that tried to seize the government; "quum ille Romuli senatus, qui constabat ex optimatibus, quibus ipse rex tantum tribuisset, ut eos patres vellet nominari (cf. Liv. c. 8) tentaret post Romuli excessum ut ipse regeret sine rege rempublicam." —*De Leg.* ii. 12. Dionysius says the same thing; but if his text is correct, stupidly makes their number 200: τῶν πατρικίων οἱ καταγραφθέντες εἰς τὴν βουλὴν ὑπὸ 'Ρωμύλου διακόσιοι τὸν ἄριθμον ὄντες.—ii. 57. The Sabine senators would neither have been patricians, nor appointed by Romulus alone. At that time the Senate was a mere council. The Roman senators were Romulus' council, the Sabine senators, Tatius'; and it is

probable that, before the time of Numa, they seldom met in one assembly. After the death of Tatius, the functions of the Sabine senate would have ceased; and on the death of Romulus, the Roman senators endeavoured to seize the supreme power. So in the next chapter Livy says that it was the *Roman* senators who decided the election of Numa. "Audito nomine Numæ, patres Romani," &c. That the governments of Romulus and Tatius were conducted independently is plain from the story of the Laurentine ambassadors.

Ibid. p. 131, 16. *populo permissa* . . . Mommsen seems very dogmatic when he declares that the original meaning of *populus* is determined beyond question by usage to be 'army.' Only in the very doubtful case of the dictator's title, *magister populi* (his subaltern being *magister equitum*) does *populus* mean 'army' . . . Even granting that in (two special) cases *populus* means army, at a time when every citizen was a soldier, the army might as well be called from the people as the people from the army. In usage, *populus* is almost exactly equivalent to *πόλις*. The only difference is that it can never be used for *urbs*, as *πόλις* is for *ἄστυ*. Its English equivalent is not 'people,' i.e. 'nation,' but 'state' or 'body politic.' *Populus Romanus* is the 'Roman Republic.'

When the Professor speaks of the doubtful case of the dictator's title, he must either mean, I conjecture, that the title of *magister populi* is doubtful, or that it is doubtful whether he commanded the army. Nothing can be better established than the title. See Varro, L. L. v. 82; Festus, p. 198, Mull.; Liv. ii. 18; Cic. de Fin. iii. 22, 75; De Rep. i. 40, 63; De Leg. iii. 3; Senec. Ep. 108. His military character is shown by his nominating the *Magister equitum*; and by the first election of one having been occasioned by the fear of a Latin war. (Liv. ii. 18; cf. iii. 27: "legiones ipse dictator, magister equitum suos equites ducit.") The verb 'populari' seems to indicate

the military origin of the term 'populus.' It is not precisely true that every citizen was a soldier. There must always have been many past military service, as well as halt and blind. Only those who bore arms had votes. Hence in later times it was the 'exercitus' that was summoned to the Comitia Centuriata. "Dein consul eloquitur ad exercitum: Impero qua convenit ad comitia centuriata."—Comm. Consulares, ap. Varr. L. L. vi. 88. On the other hand the *Quirites* contained persons not bearing arms, *privati*: "Omnes Quirites, pedites, armatos privatosque."—Censor. tab. ibid. 86; or, as we should say, 'civilians;' and all these might be summoned to a *contio*: "voca ad conventionem omnes Quirites huc ad me."—Ibid. 88.

Populus is not equivalent to πόλις, but to δῆμος, the term used by Greek writers when speaking of it. *Populus Romanus* is not, precisely speaking, the Roman State, though sometimes used for it. The State, or body politic, was made up of the various orders, and the Professor's definition would leave out the Senate. The Roman republic was not called *Populus Romanus*, but *Respublica Romana*. The Romans, as a nation, might certainly be called *Populus Romanus*. And thus Cicero: "Aliæ nationes servitutem pati possunt, *populi Romani* est propria libertas."—II. Phil. vi. end.

Ibid. p. 131, 16. *sciscerent juberentque*. These words express in strictness the decisions of different assemblies. One or two instances may be produced of *scisco* and *scitum* applied to an assembly not plebeian; but, as at this place, *plebi* has immediately preceded, we must suppose that Livy expects us to believe that there were *comitia tributa* in the days of Numa.

In the Professor's view, therefore, Livy was either an ignoramus or a cheat; but the charge rests only on his own misapprehension.

I have shown, in my 'Kings of Rome,' that there were plebeians in the time of Romulus. In the present case the patricians had usurped the kingly power, and the question of king or no king lay between them and the *plebs* (*fremere deinde plebs, &c.*). The interrex calls a *contio* of the plebeians (*tum*

interrex contione advocata)—mark, not to a *comitium*—and the people *sciscunt jubenque*, &c., that the senate should select a king. The Professor's reasoning stands thus: The words *scisco* and *scitum* were used of the decisions of the *comitia tributa*; but Livy here uses them of the *plebs* in a *contio*: *ergo*, he thought that there were *comitia tributa* in the days of Numa.

There is nothing in Livy's account at variance with what Cicero says (Rep. ii. 13) as quoted by the Professor at the end of his note; viz. that Numa was chosen king in the *comitia curiata*. The *plebs* had confided to the Senate the selection of a king, therefore they must wait the decision of the Senate before they could elect one. But when the Senate had given them a name, then they would elect in their *comitia curiata* the person named, without which the election would not be valid. Livy did not say this, because he knew that every Roman would understand it. According, then, to the Professor's own showing, Livy uses the right word in speaking of the *plebs*.

Ch. xviii. p. 132, 21. *augurato . . . augure*. It seems to be Livy's view that there was a science of augury, but no recognised college of augurs, in the reign of Romulus . . . In iv. 4, Livy asserts distinctly, "Pontifices augures Romulo regnante nulli erant; ab Numa Pompilio creati sunt." It would appear that in the present passage Livy followed another account, which made Romulus the founder of the college; and then, discovering the inconsistency, saved himself by inserting the clause, "*Cui deinde honoris ergo*," &c. That there was such an account appears from Cicero, who expressly asserts of Romulus (Rep. 2, 9), "*Ex singulis tribubus singulos cooptavit augures*."

Livy is quite consistent. He says here that there was now first instituted a *priesthood* of augurs, and he says the same in iv. 4. There is nothing in Cicero (Rep. ii. 9) to show that Romulus founded a college. All he says is that Romulus, before beginning a public act, chose a man from each tribe to assist him in the auguries. The Professor has only quoted a

part of the passage; it runs: "Omnibus publicis rebus instituendis, qui sibi essent in auspiciis, ex singulis tribubus," &c. That is, he selected them when they were wanted, which shows that there was no college. It does not even follow that they were always the same men. The 'cooptatio' being ascribed to Romulus alone also shows that there was no college (Cf. Liv. vi. 38; Suet. Aug. 27).

Ch. xxi. p. 136, 16. *et soli Fidei*. I see no meaning in *soli*. W. doubts the reading, but thinks the word may contrast the solitary *Fides* with the plural *Camenæ* just mentioned.

This passage has been constantly misunderstood, because the editors have put a full stop after 'essent' instead of a comma. The sentence ends with *instituit*, viz.: "And as Numa often visited that grove without any witnesses, as if to meet a goddess, he consecrated it to the Camenæ, because they held in it their consultations with his wife Egeria, and he instituted an annual celebration—i.e. there—to Faith alone. To that consecrated grove," &c. *Sacrarium* here has the meaning of *τέμενος*, though I am not aware that it is to be found in the dictionaries with that sense. But Livy so uses it in his account of the Bacchanalian orgies in the grove of Semela, or Stimula (Ov. F. vi. 503) on the Aventine. Thus Dronia promises her son, "*pure lautum in sacrarium diducturam*," xxxix. 9; and that this *sacrarium* was the grove of Semela appears from ch. 12: "*expromeret sibi quæ in luco Semelæ Bacchanalibus in sacro nocturno solerent fieri*." And that the *sacrarium* of Numa was some way from the town may be further inferred from the circumstance that the flamines were to proceed thither in a chariot.

The epithet *soli* applied to *Fides* is suspicious. If correct, it must mean 'to Fides by herself.' The Professor's *solus* is inadmissible. Muretus conjectured, from an old copy which had *poli*, that Livy might have written *populi*, the 'Faith of the people,' of which indeed he had great need; for, as Ovid says: "*Tarda venit dictis difficilisque Fides*."—Fast. iii. 350. And this would agree with the *Πόλις δημόσια* of Dionysius (ii. 75).

It appears, then, that Livy does not say that Numa built a

temple to Faith, but only that he consecrated a grove. Now I confess that, following my predecessors, I have represented Numa as building a temple on the Capitol (Smith's 'Dict. of Geog.' ii. 769; and 'Hist. of City of Rome,' p. 379); and Mr. Burn has done the same ('Rome and the Campagna,' p. 192). But it is said that one may tarry at Jericho till one's beard grows. The authorities on the subject, besides the present passage of Livy, are Plut. Num. 16; Dionys. i. c.; Appian, B. C. i. 16; Cicero, N. Deor. ii. 23; and Valer. Max. iii. 2, 17. Both Plutarch and Dionysius call the foundation of Numa a *ιερόν*, which means more properly a *temenos* than a temple, the precise word for the latter being *ναός*. The passages of Cicero, Appian and Valerius Maximus show that there was a temple of Faith on the Capitol, but they do not prove that it was founded by Numa. The passage of Cicero proves the reverse, because he says that it had been recently dedicated. Nor even if we adopt Moser's reading of *Fides* for *Spes*, a little further on—which, for several reasons, I think a very bad one—does it at all mend matters; for it only makes the temple consecrated by Atilius Calatinus a little before it was dedicated by Scaurus. And if Cicero was going back to former founders, surely he would have gone up to Numa if he could. The passages of Appian and Valer. Maximus do, however, show that the senate was assembled in a temple of Faith on the Capitoline hill, which must have been that of Scaurus. It does not follow, however, that it was on the summit on which the Capitoline temple stood; on the contrary, as the assailants of Gracchus had to mount, it must have been either on the slope of the hill, or on the so-called Inter-montium.

Ibid. p. 132, 18. *vehi*. It was in a *curru arcuato* that the vestals rode. Livy says that it was used in the worship of Fides, to show that faith should be carefully guarded—*fidem tutandam*.

A truly wonderful misinterpretation of a very plain passage. Faith was not symbolized by the *currus*, but by the covering of the right hand.

Ch. xxii. p. 138, 1. *expetant*. Below (23, 4) we have

this word used actively. See also in 3, 40, and more than once in Cicero. It is possible to take it so here, making *dii* the subject.

Expetere, when used actively, requires an ablative of the person, when one is named, with *ab*; when used as a neuter, it takes the acc. of the person with *in*. From this note a student would infer that it is good Latin to say '*expetere poenas in aliquem*,' for 'to exact punishment' from him. When the Professor refers to the next chapter, "*in omne nomen Albanum expetiturum poenas*," he should have told the student that it is at all events an ἀπαξ λεγόμενον, and that there can be very little doubt that the text is corrupt. Yet he passes it over *sicco pede*. Sanctius and Drakenborch proposed emendations, but not very happy ones. In Liv. iii. 40, '*expetere*' is used regularly with the abl., *ab inuitis*.

Ibid. p. 138, 15. *Mettium*. Note that we have here again, as in 12, a contest between Mettius and Hostilius.

And what then? The Professor means apparently to insinuate that such a thing is incredible. It would indeed be incredible that the same Mettius and Hostilius who were fighting under Romulus should be here fighting again. Such is literally the meaning of the Professor's words; but I presume he means a Mettius and a Hostilius. But even so—what then? King Hostilius was the grandson of the former Hostilius, and Mettius seems to have been a common name. Must we disbelieve that a George was fighting against a Louis in 1778, because another George had been fighting another Louis in 1743?

Ibid. p. 139, 8. *memor esto*. Notice that *esto* is a future tense, since it stands with *cum dabis*.

If this be so, Mettius must have been a—I will not use hard words, say, a rather silly man. For, according to the Professor, he tells Hostilius, "As soon as you shall give the signal for battle, remember that these two hosts will be a delightful spectacle for the Etruscans." But after he had given the signal, would it not have been rather too late to reflect upon the con-

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sequences? What Mettius really said was: "Mind, that when you shall give the signal for battle, the two hosts will be a spectacle." If this is right, then "*esto*" will be what it is now the fashion to call, a present imperative. And there are other considerations which make me think that it is so. For the two armies were standing ready to engage—"instructi utrimque stabant"—and were only waiting for the signal. Therefore there was no time to be lost, and Hostilius must make an instant decision. There could not be a more distinctly marked present.

But I will carry the subject up from particulars to generals, and express my opinion that there is no such thing as a future imperative. We knew nothing of it when I learnt my Latin grammar, more than sixty years ago, and I rather think we were right. It seems to be an importation from Germany, though I am aware that it is an old subject of controversy among the grammarians. The imperative can never regard the past, and, with respect to the *object* of it, must always have reference to a more or less future time. But, with regard to the *subject* of it, or the person who gives the command, it is always present, whether the thing commanded is to be done directly or six months hence. I am therefore inclined to believe that the imperative is nothing but a mood, and has no tenses. But we may give two sorts of commands; an absolute command and a command under certain conditions, and hence we might make the distinction of an absolute imperative and a conditional imperative. But in Latin even these are not connected with the *forms* of the verb, and depend only on the context.

As the imperative, with regard to the object of it, always respects the future, we find that a future tense may often be put for it, and especially where the future is indefinite, as: "*me ante brumam expectabis*;" "Thou shalt not bear false witness." From its connection with the future, Sanctius went so far as to call the imperative the third future ('*Minerva*, i. 13); in which I do not think that he has been followed by any other grammarian. But as a natural consequence of his taking it to be a tense and not a mood, he considered that there was only one tense, and that the terminations *to* and *tote* added nothing to the meaning. Thus he observes: "*Nam vulgo putant amæ præsentis esse, et amato futuri remotissimi; quasi vero possimus*

nisi de futuro imperare." And he then adduces several examples where the two forms are used indifferently. We see, however, from the sentence quoted, that in the time of Sanchez, who wrote in the sixteenth century, a difference was commonly recognised between the two forms; and this view is supported by Perizonius, in a note on this passage, who quotes Virgil:

Phyllida mitte mihi, meus est natalis, Iola:
Quum faciam vitula pro frugibus, ipse venito.

But Sanchez had quoted instances of the intermixture of these forms. A future imperative appears to have been also rejected by Vossius and Ursinus, and by Bauer, the editor of Sanctius; while Corrado and others, whom Perizonius followed, though they recognized a future imperative, allowed that in practice the two forms were used promiscuously. If this be so—and it is easy to show that it was so—how can they properly be different tenses? In another mood, would not the use of a present tense for a future, or *vice versâ*, be a solecism? And if this be so, Cicero and other good writers are continually committing solecisms. I will add a few instances to those collected by Sanchez, the result of a very cursory examination.

"Quum commode . . . navigare poteris . . . ad nos veni."—Cic. Fam. xvi. 7; "quod exemplum si minus te delectarit . . . fac me certiores."—ibid. viii. 1; "sin mihi neque magistratum . . . auxiliari licuerit, vide," &c.—ibid. v. 4, 2; "adestote omnes animis, qui adestis corporibus."—pro Sull. xi. 3, where, according to Madvig's rule, it should be *aderitis*;—"animum advortito igitur—Nolo, inquam."—Plaut. Bacch. iv. 8, 68; "bene ambulato—bene vale."—id. Capt. ii. 3, 92. Cf. Ter. Heaut. iv. 1, 5; idem. Eun. i. 2, 26; id. Adelph. ii. 4, 17; id. Eun. iii. 5, 47; Hor. Od. iii. 14, 21 sqq.; Plaut. Cas. ii. 8, 65; Sall. Cat. lviii., &c.

The forms in *-to* and *-tote* are probably ancient, as they appear to have been used in laws and testaments, and hence perhaps they may have been sometimes considered rather stronger than the more modern forms; but it is difficult to make out even this in many of the examples cited, much less any remote future meaning. I think therefore that my old Eton grammar was right in refusing to recognise any distinction. But the person who should learn his Latin now from Madvig's gram-

mar would be sure to commit the same mistake as the Professor. Madvig (§ 384) lays down his rule about the future imperative in the most dogmatic manner, as is usual with some German writers, and without so much as hinting that there can be any exception to it; so that anybody who does not inquire for himself might be taken in like the Professor. Zumpt, whose grammar seems to me to be a better one than Madvig's, also adopts a future imperative, but hints that it may be neglected by the poets; and even quotes, apparently as a very remarkable instance, a breach of it by Livy, vi. 12, "*ubi videris—tum infer*" (Zumpt, § 384 and note, p. 413, Schmitz's trans.). I think it will be allowed that the passage we are discussing is another instance, and I will here add a few more from Livy: *crastino die redite* in aciem, *erit* copia pugnandi, iii. 2, 9; *crastino die adeste*, ii. 56, 9; *ubi carcerem impleveritis*, followed by *egredimini, visite*, iii. 68, 1; *hac qua me videritis* prægressum . . . *ite* mecum, iv. 28, 5; *prima vigilia capite arma frequentes*, v. 44, 7; *esto*, the so-called fut. imp. with two so-called pres. imp.: *macte virtute esto . . . perge . . . præsta*, vii. 10, 4; *ut me videritis*, followed by *sternite*, vii. 33, 10; *ubi evasero* in summum . . . *perge*, &c., vii. 34, 5; *invenies*, followed by *cæde, redde*; *nox erit . . . terrore omnia implebo . . . vos arcem tenete*, ix. 24, 8; *quum signum dedero . . . invadite . . . sternite*, xxiv. 38, 7; *si placuerit—facite*, xxx. 16, 3; *in prima acie rem geram—tu equites in hostem emitte*, xxx. 18, 4.

Zumpt's *dictum*, therefore, so far as Livy is concerned, is the exception, not the rule; for the only example which I have been able to find in Livy which supports it is: *si dimicandum erit, tum tu in novissimos te recipito*, vii. 30. But Livy preserves *-to* and *-tote*, as archaic forms, in laws, treaties, and oracular responses: see v. 16, 11; xxiii. 11, &c. It may be remarked that the breach of Madvig's rule is exceedingly common in Plautus and Terence, two very idiomatic writers, and who can hardly be cited for poetical usage, even if we are to allow the poets, among their other licences, that of writing bad grammar.

C. xxiv. p. 139, 22. *plures invenio*. This is the infancy of historical criticism. Livy simply counts the witnesses without inquiring whether they were inde-

pendent of each other, or what means they had of knowing the truth.

That Livy weighed his authorities is evident from the expressions he uses of them, as *gravissimus auctor*, &c., and the contempt with which he speaks of Valerius Antias. It was not usual with the ancient authors to detail their inquiries, but only to give the results. We may assume that Livy had consulted the best independent authorities, and in case of divergence among them, number was the only criterion.

C. xxv. p. 141, 14. *animos*. *Animus* is the heart, *animi*, courage.

Animus is not the heart. And the student should know that *animus* means *courage* just as often as *animi* does.

Ibid. l. 17. *arma*. Shields.

Arma means not only shields but also defensive armour of all kinds, as helmets, greaves, &c. Render: 'As their swords resounded on the armour of their adversaries' (Kings of Rome, p. 173).

C. xxvi. p. 144, 9. *de provocatione*. Observe, that Livy imagines the 'duumviri' to be an extraordinary commission; . . . observe, the strange construction that Livy puts on the words *duumviri perduellionem judicent*. We should naturally take this to mean—'let them pass sentence if the accused is guilty.' But Livy thinks they bind the duumviri to condemn.

Livy does not imagine that the duumviri were an extraordinary commission. He says expressly, that they were appointed in pursuance of law. The King says: *duumviros . . . secundum legem facio*. And after reciting the law, Livy subjoins: *Hac lege duumviri creati*. The matter is somewhat obscure, but Livy seems to think, whether rightly or wrongly, that the words *duumviri perduellionem judicent* bound them to condemn, or rather to sentence. Thus Duker, ad Liv. xxvi. 4: "Apud Livium i. 26, illud duumviri, 'P. Horati, tibi perduellionem

judico,' nihil aliud esse puto, quam poenam perduellionis tibi irrogo." This is also obvious from the context. Horatius was manifestly guilty, and the king did not wish to have to pass so severe a sentence. Livy's words: "qui se absolvere non reban-tur ea lege ne innoxium quidem posse," show that he thought the duumviri were appointed to condemn. The only chance for the criminal was an appeal.

The Professor retains the *de* (ita *de* provocatione) though it is manifestly wrong, and condemned by all good critics. Livy does not mean that it was contested whether there should be an appeal, but that the matter was contested *in an appeal*. Lipsius and Sanctius proposed to read *demum* for *de*; for which there appears to be MS. authority.

Ibid. p. 145, l. *modo . . . modo*. I suppose this strange use of *modo* is to be thus explained: 'Quod dicit vel intra vel extra pomerium modo jubet lex inter spolia hostium modo inter sepulcra C. eum verberari.'

All I can make of this incomprehensible note is that the Professor supposes that the law was a special law made for the case of Horatius, and inapplicable to any other. The law only says, let the criminal be whipped either inside or outside the pomerium; but the Professor inserts into it the words of Horatius' father, which are an appeal *ad misericordiam*: "Go whip my son, as the law directs, either within the pomerium, only let it be among the spoils of the enemy there exhibited, or outside the pomerium, only let it be among the sepulchres of the Curiatii." Implying: 'Can you find in your hearts to do that?' I am sorry to trouble, and perhaps affront, the student with this explanation, but it seems necessary.

Ch. xxix. p. 149, 24. It is a significant fact, as showing how obscure and wavering, even in the principal points, were the family traditions of the Romans, that there are two quite different accounts of the origin of the most famous of Roman *gentes*, the Julii.

I have examined this charge in my 'Roma Regalis,' p. 8 sq.

Ch. xxx. p. 150, 2. *usque ad patrum nostrorum ætatem*. After having been rebuilt twice, it was pulled down by Julius Cæsar, and a temple of Felicitas erected on its site.

This temple of Felicitas is a very problematical affair; if ever built, it lasted only a year or two, viz., from A.U.C. 710 to 712 (Dio, xliv. 5; xlvii. 19). It was only an excuse for pulling down the old curia and rebuilding a new one, named after C. Julius Cæsar, on the same spot. I know not on what authority Mr. Burn states ('Rome and the Campagna,' p. 108) that the Curia Julia was placed to the north-west of the temple of Felicitas. It is plain from Dio (xliv. 5) that the temple occupied the very site of the Curia. Becker's argument from the inauguration of the Curia is futile. No temple could be demolished without being first exaugurated, and therefore any new one erected on the same site would require fresh inauguration. But I do not here mean to criticise Mr. Burn. I have endeavoured elsewhere to show that the Curia always stood on the same spot (Smith's Dict. of Geogr. ii. 789 sq.; 'Hist. of City of Rome,' p. 181).

Ibid. p. 149, 3. *ordinum*. Livy is thinking of the *equester ordo* of his own time, but this only dated from C. Gracchus.

Livy does not use the word here in its specific sense, but in its general meaning of a 'class.' This is evident from his including *legiones* under the term.

Ibid. p. 149, 10. *Sabini suos . . .* Apparently the Sabines alleged the opening of the Asylum by Romulus, and the loss of citizens which it had caused them, as an apology for their own offence. This is the way Dionysius (iii. 32) puts it. It seems strange, however, that Livy should call this *lucus*. Its Greek name was "Asylum," and its Latin name *Inter duos lucos* . . . Madvig ingeniously suggests that *servos* has dropped out either

before or after *suos*, and he has even introduced it into his text. W. agrees with him."

Here the Professor commits the same mistake about *Inter duos lucos* as above c. viii. (p. 6). The 'ingenious' emendation of Madvig and W., whoever this last may be, does not convey any very high idea of their editorship. In the view of Dionysius, that none but freemen were admitted into the Asylum, the insertion of *servos* is totally inadmissible; in the view of Livy, that both freemen and slaves were admitted, it is useless and absurd. The dispute about the act at the Fanum Feroniæ concerned freemen; and to justify the retort of the Sabines, it sufficed that Romulus had admitted some freemen.

Ibid. p. 151, 9. *pacta cum Romulo induciarum fides*. Yet Livy has introduced the Veientines at war with Rome in 27 . . . Livy does not tell us what the end of the war with Fidenæ and Veii was, and has forgotten it altogether in 30, 7.

The last part of this annotation belongs to c. xxviii.; 'Tum Albanus' (p. 147, l. 5, Seeley), but the two notes must be taken in conjunction. Livy cannot have forgotten the war with Veii altogether, since he says in this 30th ch.: "*inde (a Veientibus) ob residuas bellorum iras*;" where *bellorum* includes the war of Tullus with Veii. Had not the Professor been bent on depreciating Livy, he might have considered a suggestion of Duker's, that the abbreviation *Rom.* in the MSS. for "Romanis" was converted into "Romulo" by the copyists, who had got it into their heads that Livy was referring to the peace with that king. It is true that in his condensed style, Livy has not before mentioned any peace between Tullus and the Veientes, but his readers would see that there had been one if the reading was "*pacta cum Romanis fides*." On this abruptness of Livy's style, see Perizonius, 'Animad. Historiæ,' c. iv.

Ch. xxxi. p. 152, 14. *operatum iis sacris*, 'busied with these observances.'

It is hardly necessary, perhaps, to remind the tiro that

operatum is not a passive participle, as translated by the editor of Livy, but a supine from *operari*.

Ch. xxxii. p. 153, 18. *Jus ab antiqua gente Æquilis*. Livy has tried to weave together conflicting traditions.

I have examined and refuted this charge in my 'Roma Regalia,' p. 9 sqq. The Professor's argument is amusing.

Ch. xxxiii. p. 155, 17. *Capitolium atque arcem*. Both words signify "citadel;" but one was applied to the north-eastern, the other to the south-western summit of the hill. The German topographers, whom Mr. Burn follows, make the south-western summit the Capitolium; the Italian school, to which Dr. Dyer belongs, the north-eastern.

I deny that both words mean the citadel, and I will prove that I am right from the Professor himself; who, in a note on c. lv. (p. 189, 18), says: "It is remarkable, however, that the Capitolium at Rome was different from the Arx."

I also deny that I belong to the Italian or any other school. I do not "follow" anybody, but endeavour to make out the truth as well as I can from the original authorities. Nor can that be called an Italian school which includes the names of Gibbon, the late Lord Broughton, M. von Reumont, &c.

Ibid. p. 156, 10. *primum inde . . . ingenti*, &c. Livy seems to have found in his authorities an account of the destruction of Medullia by Ancus; then, further on, an account of its destruction by Tarquinius Priscus (38, 4). He has tried two ways of explaining or slurring over the discrepancy.

I have rescued Livy from this charge in 'Roma Regalia,' p. 13 sqq. 'Slurring over,' *query* meaning? Sliding over?

Ibid. p. 157, 4. *Carcer*. See Hist. Ex. p. 45.

I have examined this Historical Examination in 'Roma Regalis,' p. 36 sq., and shown that the Professor confounds the Augustan age with the Middle Ages, but strengthens his reasoning with a circular argument.

Ch. xxxiv. p. 157, 19. *uxore gravida relictâ*. 'Relicta' is here a present participle.

I am not acute enough to understand this. 'In the act of being left pregnant'?

Ibid. p. 158, 2. *auxit ducta* . . . Tanaquil, not T., whom he married, increased; but his marriage with Tanaquil increased.

But for this notice, I must own I should have thought it was Tanaquil, as Livy goes on to say, that she could not bear a condition below her former one, that hence she advised Tarquin to emigrate to Rome, and, when the eagle carried off and replaced his cap, bade him *excelsa et alta sperare*.

Ibid. p. 158, 11. *et Ancum*, not 'and Ancus.' It is contrary to Latin usage to put the conjunction only with the last term of an enumeration. Translate: 'even Ancus,' or 'Ancus himself'—i.e. the reigning king.

And yet we read only a few lines further on: "eam alitem, ea regione coeli, *et* ejus dei nuntiam venisse." Where we could not translate 'even.' Though I do not mean to deny that *et* has sometimes the force of *etiam*.

Ch. xxxv. p. 160, 4. *quod quisquam indignari posset*. Madvig is evidently right in reading *quispiam*—i.e. 'a man.' He also corrects *posset* to *possit*.

What is the difference between *quisquam* and *quispiam*? *Possit* is a blunder instead of a correction. For *possit* would mean, 'which any one may wonder at,' while the sense requires, 'which any one might wonder at;' viz. if it were so, which it was not. It is a supposition negatived.

Ch. xxxix. p. 166, 16. *domo*. Compare this with *in domo* just below. The one is equivalent to a preposition, the French *chez*; the other is *dans la maison*. Madvig suspects we should read *domi*.

'*Servius naquit chez Tarquinius*' would mean that he was born in the house in which Tarquin resided; '*Servius naquit dans la maison de Tarquinius*' might mean, but not necessarily, that he was born in a house belonging to Tarquinius, but in which he did not reside. In the present case, however, as Tarquin appears to have had only one house, there is absolutely no difference between the two expressions. Nor is there any between the *domo* and *in domo* of Livy. Would it not have been better to tell students that in this construction the preposition is frequently omitted? I am utterly at a loss respecting Madvig's 'suspicion' about *domi*. It seems to be utter nonsense. Prisci Tarquini domi? The mother of Tarquinius, who had been carried into slavery from Corniculum, gave birth to him 'at home' in the house of Tarquin!

Ch. xl. p. 167, 2. *Ad servitia caderet*. Livy forgets that he had just denied that Servius was a slave.

A note like this makes one rub one's eyes to see if one has read aright. There were two opinions about Servius. Livy himself thought that he was not the son of a slave mother; but others held a contrary opinion. Among these, of course, were the sons of Ancus, whose views, and not his own, Livy is now representing.

Ibid. p. 167, 3. *annum quod Romulus*. *Quod* is Madvig's emendation for *quam*. Livy could not say 'a hundred years after Romulus held the kingdom,' *while he was on earth*. The *id*, too, which follows, seems to require *quod*.

This *quod*, for which it is not pretended there is any MS. authority, spoils both the sense and the sentence, and rests upon a complete misapprehension. By "*donec in terris fuerit*," Livy means, 'from the time when Romulus was present with us on

earth. It is a sort of parenthesis. He was now a god; and it is a caveat against his being supposed to have relinquished the care of the Roman people.

With regard to the construction: 1st, the words "post centesimum fere annum" require a clause with *quam*; 2nd, Livy would not have placed *quod* first, and *regnum* so far behind. He would have written "*regnum quod Romulus.*"

Ibid. p. 167, 9. *et injuriæ dolor . . . et quia . . . tum Servio, &c. . . .* These three reasons would naturally be introduced by *et injuriæ dolor . . . et quod . . . denique quod*; they are loosely introduced as above. The confusion produced is then remedied by the addition of *ob hæc ipsi, &c.*

A lesson in style for Livy. J. F. Gronovius and Drakenborch, no mean critics, were quite of a contrary opinion to the Professor. Gronovius says: "Has (tres causas) pronuntiat ita sermone illo suo erudito Livius, ut satis intelligantur causæ, etsi nuspiam particula causalis illinatur." Gronovius would even omit the *quia*, though perhaps unnecessarily, and so would Drakenborch, who observes: "Frequenter enim particulas causales, *quod, quia*, ac similes omittit Livius, *cujus elegantias non adsecuti indocti scribæ librarii illas ipsi invito obtruserunt.*"

C. xliii. p. 172, 4. *ut ab Romulo traditum.* This should refer to the *comitia curiata* . . . Livy, however, does not seem to be thinking of the *comitia curiata*, nor does he even mention this assembly in speaking of the collective acts of the people before Servius Tullius. It seems that he never asked himself the question, what assembly had preceded the *comitia centuriata*.

Yet Livy has mentioned the establishment of the *comitia curiata* in his 13th chapter, though the Professor has forgotten it at the 43rd.

C. xlv. p. 175, 5. *ad antistitem fani Dianæ.* I sup-

pose the *ædituos* (*ædituus*) is here meant, whose business it was to be always on the spot.

The student should be informed that if he were to take an *antistes* for an *ædituus*, he would commit as gross a blunder as if he were to take a rector for a sacristan or vergier.

C. xlv. p. 176, 17. *ferox Tullia* . . . the high-spirited Tullia.

I have examined the propriety of this epithet in 'Roma Regalis,' p. 57.

Ibid. p. 177, 10. *adulescentem*. He is called *juvenis* in 42, 1, at the beginning of Servius' reign; he is still *adulescens* at its close, and yet it lasts forty years.

I have also examined this charge in 'Roma Regalis,' p. 15.

Ibid. p. 179, 26. *in inferiorem partem*, that is, 'into the forum below.'

That would have been a tremendous chuck! Livy, no doubt, means the stylobate of the Curia.

Ch. liv. p. 188, 24. *in manum traditus*. The treaty with Gabii was to be seen in Livy's time, in the Temple of Sancus. Dionysius, unlike Dr. Dyer, feels the inconsistency of this fact with the story of Gabii having been conquered, &c.

I have examined this objection, which is taken from Schwegler, in my 'Kings of Rome,' p. 394 sqq.

Ch. lvi. p. 190, 12. *quam postquam*. Bekker's emendation, received by all the editors.

The Professor of course means modern editors. *Minus* and *minime* are often used, as *minus* here, in a negative sense, and with an indirect comparison: 'not very much,' 'not in the least;' and therefore with more meaning than the simple *non*. Comp. ii. 2, 9: "Et ceteri quidem movebant minus; postquam

Sp. Lucretius," &c. By substituting *quam postquam* for *quæ posthac* the construction of the sentence is spoilt, which requires the further substitution of *cum*, or *quum*, for *et*. Put, with Drakenborch, a colon after *suis*, and translate: 'When this labour, not small in itself, was added to military service, yet the plebs were not so very much afflicted at building with their own hands the temples of the gods; but they were afterwards,' &c.

Ibid. p. 193, 11. *id cuique spectatissimum sit.*

I have examined the Professor's extraordinary puzzle about this plain passage in the 'Roma Regalis,' p. 59 sq.

Ch. lviii. p. 194, 4. One would suppose that there would be agreement, if on anything, on the name of the dishonourer of Lucretia. Yet Servius (ad Æn. viii. 646) calls him Arruns, and leaves Sextus entirely out of the story.

It is true that there is some discrepancy respecting the ravisher of Lucretia; but it turns not so much on the name as whether it was Tarquin's eldest or youngest son who committed the act. According to Livy (c. 53) Sextus was the youngest son; but according to Cicero, the eldest son was the criminal (De Rep. ii. 25, 46). According to Dionysius (iv. 55), Sextus was the eldest son. Ovid agrees with Livy (Fast. ii. 689). Also Polyænus (Strat. viii. 6).

A discrepancy like this, natural enough in so ancient a story, shows that it was not a manufactured one, in which case the name of course would have been right.

Ibid. p. 194, 18. *velut victrix*. This cannot possibly be right . . .

The Professor then proposes to read *violatrix* for *velut victria*, and observes:

"It is to be remembered that *libido* means merely 'a fancy,' not necessarily sensual or vicious, and rather requires a defining adjective."

The Professor ruthlessly spoils a most picturesque passage. 'Pudicitia' is tacitly likened to a fortress, which, after an obstinate defence, lust, like a conqueror, overcomes. The metaphor in the teeming mind of Livy is further shown by *expugnato decore muliebri*—'taken by assault.' The assertion that *libido* by itself does not mean 'lust,' is a thing to be wondered at. As it stands in the context it can mean nothing else.

Ibid. p. 195, 9. *hostis pro hospite*. We have had this rhetorical conceit before. See 12, 8.

This is rather too bad of the Professor after thrusting upon Livy such a conceit as *aura* and *aurora*!

Ch. lix. p. 196, 17. *tribunum celerum*. The supposed improbability that Brutus, being a dullard, should yet have held this magistracy, would not seem very formidable in a history otherwise well attested, &c.

This subject, on which the Professor, as is not unusual with him, holds two inconsistent opinions, I have examined in 'Roma Regalis,' p. 45 sq.

Ibid. p. 197, 2. *præsens rerum indignitas*. I am astonished at Dr. Dyer's interpretation of this, &c.

I have relieved the Professor from his astonishment in the same pamphlet, p. 60 sq.

Ibid. p. 197, 21. *tamquam in suum regnum*. Dionysius (iv. 58) says that after the capture of Gabii, Sextus was made king of it. By using *tamquam* Livy shows that he had a somewhat different account.

How so? The passage shows that he had the same account. Tarquin and his sons had been banished from Rome, and two of them proceeded to Cære with their father, but Sextus went to Gabii, as to his *own* kingdom. The emphasis is on *suum*, put before the noun, not in *regnum suum*, but '*tamquam in suum regnum*.' He and his family were shut out from Rome, but he had a kingdom of his own. He would hardly have gone to

Gabii after the crimes he had committed there, for which he was soon afterwards murdered, unless he knew that he should be master of the place. But I wonder that the Professor lost the chance of accusing Livy of not mentioning the making Sextus King of Gabii.

I close the Professor's book with an increased feeling of admiration for the good sense and sound scholarship of the editors of two or three centuries ago. Of Madvig's emendations, so ostentatiously paraded by the Professor, every one worth anything will be found in Drakenborch's Livy; the rest are either unnecessary, or positively bad. I still have hopes that justice may be done to Livy, and to the early Roman history. The attacks of Beaufort in 1738, less prolix but more vigorous than those of the Germans, passed harmless away, disregarded by the sceptical Gibbon, and by other eminent writers. I look with some confidence to another resurrection, and I am fortified in that hope by the reflection that Livy, and even his first book, is still appealed to by able writers and good scholars as a sufficient authority; as, for instance, by Mr. Burn for numerous facts relating to the topography of Rome and the Campagna. My parting advice to students is, not to 'follow' German scholars without closely examining the evidence which they adduce and the inferences which they draw from it. Used in that way, they will be found highly useful; but we have seen that those who follow them too servilely may tumble into pitfalls.

BRIGHTON, *March*, 1873.

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